



CALFEE, HALTER & GRISWOLD
Docket No. 12873/04604

DECLARATION
AND POWER OF ATTORNEY
ORIGINAL APPLICATION

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SYSTEM AND METHOD FOR PROVIDING A BREATHING GAS

the specification of which

[] is attached hereto,

[X] was filed on June 23, 2003 as Application Serial No.: 10/601,720.

[] and was amended on _____.
(if applicable)

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

We hereby appoint the following attorney(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

All attorneys associated with Customer No. 24024

Address all telephone calls to Nenad Pejic at telephone No. (216) 622-88358.

Address all correspondence to CALFEE, HALTER & GRISWOLD, LLP, 800 Superior Avenue, Suite 1400, Cleveland, Ohio 44114.

We hereby declare that all statements made hereon of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of first inventor: **Make Morris**
Inventor's Signature Mark C. Morris Date 12/8/03
Signature

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Full name of second inventor: **Gregory William Flolid**
Inventor's Signature Douglas W. Flolid Date 12/8/03
Signature

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Full name of third inventor: **Neal Joseph Curran**
Inventor's Signature Neal Joseph Curran Date 11/24/03
Signature

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